

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
February 2, 2009

PRESENT: TOM CLOW, CHAIRMAN; HELEEN KURK, SELECTMAN; RICHARD W. BUTT, SELECTMAN; KEITH R. LACASSE, SELECTMAN

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Donna Osborne, Jon Osborne, Jan Snyder, Carl Knapp, Gregory Begin, Scott Dinsmore, Bill Tiffany, Newell Bailey Jr., Bob DeStefano, Harry Lamb, Tim Maskiell, Dave Hewey Sr., Evelyn Connor

7:15 p.m. Chairman Clow called the meeting to order.

Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 7:18 p.m. pursuant to the authority granted in RSA 91-A:3, II (a&c). A roll call vote was taken, Selectman Butt – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0

Chairman Clow moved, Selectman Lacasse seconded to come out of non public session @ 7:50 p.m. A roll call vote was taken, Selectman Butt – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0

Chairman Clow moved, Selectman Lacasse seconded to seal and restrict the minutes of the non public session. Passed 4-0-0

Selectman Butt commented that police overtime has been an issue; last week there were 160 hours and this week 107 hours of overtime. Selectman Butt said the concern is if it continues at that pace there will be more overtime hours than last year. He would like to know what can be done to bring down the overtime hours. Chief Begin said without removing a shift it is not possible to bring down overtime. Chief Begin said during January sick leave and vacation leave were utilized and then the vacancy for 1 part time officer and 1 40 hour full time officer; 136 hours of taken time. Selectman Butt asked how much of that was overtime. Chief Begin said he covered it with 82 hours and said 10 hours were on the midnight shift. Selectman Kurk asked if a lot of it was sick time. Chief Begin said 72 hours were sick or vacation. Selectman Butt said annual leave and vacation should be planned in advance. Chief Begin said employees let him know the week before if they want to use their annual time. The only way around the overtime would be to take 1 officer from the overnight shift to cover the night shift. The vacancy for the part time officer is for Sunday, Monday and Tuesday. Selectman Lacasse asked if the default budget overtime line is enough to cover sick time and vacations. Chief Begin said no. Chief Begin said some of this is for court, accidents, bad weather but certainly sick and annual time are the bulk and said they have already used 130 hours of sick time.

Selectman Butt would really like to get the budget to be more focused on department budgets than the overall bottom line, he knows they have moved money around to cover departments but prefers not to have to do this. Chief Begin said unless the day shift that needs coverage for an officer being out is on the weekend they don't cover it during the week. Selectman Butt said the proposed budget does not stress the overtime issue. Chief Begin said they need to get part time officers to cover some of the shifts. Selectman Butt asked if this time of year was slower than summer. Chief Begin said no. Selectman Kurk asked how an officer can work 50 hours at regular pay. Chief Begin said it probably covers the holiday. Selectman Butt said the options for elimination are 3rd shift and canine program. Chief Begin said a lot of the canine officer's overtime is for covering other officers. Selectman Lacasse wonders

FINAL

how effective an officer is at 80-90 hours per week and asked if they are safe. Chief Begin said there is a contract that covers how they cover the overtime; some officers don't take the overtime. Selectman Lacasse asked if an officer would be told they have had enough hours for the week. Chief Begin said no. Selectman Butt discussed the 3rd shift. Chief Begin said he would take one of the midnight shifts off and put it on the 11:00 shift. Selectman Kurk asked if it would help if officers asked for time off with more advance. Chief Begin said no. Chief Begin said he has 4 part time applications now. Selectman Butt asked what the risks are for the community and asked Chief Begin about officers being on call. Chief Begin said if they are looking for officers to be on call for incidents they will have to be compensated. Selectman Butt asked how many incidents there have been on the overnight shift. Selectman Kurk said she would be looking at things like domestic abuse, not speeding or drugs. Chief Begin said usually domestics, ambulance calls and accidents. Selectman Butt said they are concerned with the dollar figure. Chief Begin said last year was the first time he has ever been over budget. Chief Begin said the drastic solution would be the overnight, he hopes to get part time officer for the 3-11 shift. Chairman Clow said it seems when people are out on training, sick or vacation and they need replacements they are trying to cover 3 shifts with 6-7 officers. Selectman Butt said if they don't get the coverage needed, something has got to give. Chief Begin said 3 out of 4 hopefully will pass the testing for part time and said those officers will kick in around June. Selectman Lacasse would like to set a time to revisit this. Chief Begin said he is hoping for a proposed budget. Chairman Clow said they will revisit this on March 16.

MEETING WITH THE BOARD OF FIRE WARDS – The members of the Board of Fire Wards are: Newell Bailey, Tim Maskiell, Dave Hewey, Scott Dinsmore, William Tiffany and Brad MaCauley (not in attendance). Chairman Clow said they are concerned with everything being written regarding the Fire Department in the newspapers. Chairman Clow said the BOS is concerned with what the issues are and would like to bring closure to the situation. The BOS is offering the services of mediator to the Board of Fire Wards. Chairman Clow said the Paul King, Emergency Management Director, has agreed to be the mediator. He would be compensated for his services and would provide a professional mediator service. Chairman Clow said the BOS is not trying to assume the role of the Board of Fire Wards, but they want to find a resolution so the members of the community can feel safe and know the Fire Department is working together as one. Selectman Kurk said the BOS is just trying to help to get things moving in the right direction. Selectman Butt said the Board has not officially taken a position. He said the BOS wants to provide this service to the Board of Fire Wards and is willing to pay the mediator fees. Mr. Tim Maskiell does not think a mediator is a terrible idea because of the uproar within the department, he does not know Paul King, but agrees with the idea. Mr. Dave Hewey asked if Mr. King has any motives. The Board said no. If they were to have a non public meeting, Mr. King would be involved with the process, would be privy to the information but would take a mediator role. Mr. Maskiell asked who would be getting mediating. Selectman Butt said it would be with the members of the Fire Department and Mr. King is strictly an objective person; he is the Emergency Management Director and is familiar with the Fire Department and works well with the BOS. Selectman Butt said they are not trying to sell Paul King, they are just trying to sell the idea of a mediator to alleviate the problems. Selectman Butt said once the process is finished Mr. King will bring forth recommendations, he is a Manchester Fire Firefighter and can relate to some of the issues. It is the Board of Fire Wards decision on what to do. The BOS has no issues with the Board of Fire Wards; they are just offering to pay for the mediator services. Selectman Kurk said Mr. King knows that the functioning of the Fire Department is in the control of the Board of Fire Wards. Selectman Butt said the next step would be to notify Mr. King that the Board of Fire Wards agrees to meet with him. Selectman Butt said it was made clear at the Deliberative Session that the public is questioning any requests from the Fire Department because of all the issues. Mr. Tiffany said the public is only hearing one side of the story. Selectman Lacasse said it still taints their opinions. Mr. Tiffany said the BOS held a non public meeting with some of the fire fighters and some people in attendance were not even members of the Fire Department. Mr. Tiffany said he cannot decide yes or no tonight in regards to the mediator but agrees the BOS is on the right track. Selectman Kurk said she hears from 2 members that this is a good option to meet with Mr. King. Newell Bailey said as a board member he hasn't seen anything that needs mediating and said Fire Department employees went to the BOS but not

FINAL

to the Board of Fire Wards. It was discussed 4 people resigned before the meeting with the BOS. Chairman Clow said those members came to the BOS and to protect reputations they went into non public. Chairman Clow said they don't think it would be a good idea to hear the other side, because it really isn't their place. They feel the mediator is a step in the right direction. Chairman Clow said they could hire a professional mediator from the outside, but felt Mr. King being a fire fighter would be beneficial. Mr. Tiffany said when a mediator was mentioned to him; he went to his own personal attorney and was advised to stay away from a mediator. Selectman Butt said Mr. King is not a mediator and the Board of Fire Wards does not have to use him. Selectman Kurk said the term mediator is probably not the right term. Selectman Butt said he is not a mediator, he will evaluate the department and bring forth information and recommend options. Selectman Butt said the BOS is not trying to impose. Mr. Tiffany said he told the members tonight they would come to hear what the BOS had to say/recommend.

Chairman Clow said somehow the issues need to be opened up and every voice within the department needs to be heard to find some resolution. Chairman Clow said there are a lot of people providing service and putting their lives on the line for the town and every voice needs to be heard. Chairman Clow said they are just proposing that Mr. King could help with this process. Selectman Kurk said in her opinion this service is being offered to them but the BOS has no say in the Fire Department. Chairman Clow said they have no say in the Fire Department but they do have a responsibility for the town's safety. Chairman Clow will contact Mr. King and see if he would be available to attend Monday evenings Board of Fire Wards meeting. Mr. Tiffany told the BOS that even though he is filling in for interim Fire chief the safety of the community is not at risk. Only 1 person quit and 3 people did come back. Mr. Maskiell said there is clearly a division in the department, people in the field and people in the office and he feels Mr. King would be worth talking with to help them get back to one department. Selectman Butt said the Board of Fire Wards is in control. Mr. Bailey said Mr. King will be doing what the employees should be doing to bring information back to the Board of Fire Wards.

Selectman Butt mentioned they should contact the newspaper to inform the public that a process is being taking to alleviate the issues within the Fire Department. Selectman Butt said they could turn this into a positive thing. Mr. Dinsmore agrees it won't hurt and could help the situation to meet with the mediator. Mr. Tiffany agrees with meeting with him. Selectman Butt asked how critical the Fire Chief's full time position is to help the department. Mr. Tiffany said it is very critical, the town has grown to the point that there needs to be someone in the department full time. Selectman Butt asked if there is an option if it does not pass. Mr. Tiffany said it would be posted and advertised to fill a part time position. Chairman Clow told them they have every right to campaign for the position. Mr. Bailey said the whole department does agree that they need a full time Fire Chief. Selectman Butt said the Fire Department needs to come up with substantial information for their warrant requests. Mr. Maskiell said one of the reasons he is in favor of a full time chief is because he thinks if they advertise for a full time chief there is a chance they will get someone from an outside town, he thinks that is what they need, someone who doesn't know everyone in the department. Mr. Tiffany said they need to set a radius for the chief's residence. Selectman Kurk said the major part of this person's job is 40 hours per week during the day. Mr. Tiffany said they want to establish the position and salary and in phase 2 they could hammer out the details. Selectman Kurk wants to see them ready to go when it gets passed. Chairman Clow said they have a month from now until the elections.

MANIFESTS

Chairman Clow moved, Selectman Kurk seconded to authorize the Board of Selectmen to sign Manifest and order Deputy Treasurer to sign checks dated February 5, 2009 to include an additional accounts payable of \$1,440.02 for abandoned property. Passed 4-0-0

Accounts payable	\$373,618.63	(John Stark Weare School \$250,000)
Gross Payrolls	<u>\$38,871.77</u>	(includes Spec Detail, Credit Union, Taxes)
Total	\$412,490.40	

FINAL

MEETING MINUTES

Chairman Clow moved, Selectman Kurk seconded to approve the minutes of January 10, 2009 as written. Passed 3-0-1

Chairman Clow moved, Selectman Butt seconded to approve the minutes of January 17, 2009 as written. Passed 4-0-0

SIGNING OF LAWCARE CONTRACT – Chairman Clow said there are 3 different contracts; Cemetery, Town and Fire Department. PARC is part of the municipal contract. Fire Department includes cisterns and hydrants. 18 cemeteries include spring and fall clean up and mowing. Contractor shall receive monthly payments. Chairman Clow said they will hold off on signing until they contact the Fire Department, PARC and Cemetery Trustees. Selectman Lacasse brought up that the contract should state “at will” to terminate from either parties. Selectman Butt feels if they were to do that to these contracts they would have to revisit the policy and do it to all contracts.

The Board discussed holding a candidates night; they would need a sponsor because the Board cannot hold the event. It was discussed they will contact the Chamber of Commerce.

UPDATING WARRANT FROM DELIBERATIVE SESSION – The Board reviewed the warrant and agreed no changes were necessary.

LANDSCAPING AGREEMENT – Chairman Clow said he spoke with Bill Beaupre and the landscaping had been contracted through the Trustees and Margo’s Garden directly and the Trustees feel they really should not be involved in this. The total of \$2,913.00 is for plantings at the Town Hall, Town Offices, Library, Park and Stone Building. The money has been coming from the Emma Sawyer Trust and the Trustees feel this should not be done; it is an operating expense of the town. Selectman Butt thought the money would still come from that fund but the Board of Selectmen would have to make the request. Chairman Clow said they need to speak with the Library. Selectman Butt said he interpreted the letter to state that the recommendation just needed to come from the BOS but not that the money would come out of the operating budget. The Board tabled the discussion.

TOWN REPORT – Selectman Butt asked the Board about the recognition for the Town Report and mentioned Cora Jo Ciampi. Selectman Butt asked the Board if they read the report before it goes to the printer. Selectman Kurk said they do. Selectman Kurk mentioned Paul Morin stepping down from volunteering on the Planning Board and giving him recognition.

MAILER UPDATE – Selectman Butt said he needs information for the bond for the mailer.

BOND COUNSEL – Selectman Kurk mentioned Jan Snyder doing the leg work. Selectman Butt asked the Board if they need to determine the length of the bond. Chairman Clow would be in favor of a 10 year bond. Selectman Butt mentioned the Safety Complex bond coming to an end in a few years and asked if they should include that in the description.

Chairman Clow mentioned the monthly balance sheet for December which includes county tax and school payment. Selectman Butt told the Board he spoke with Jan Snyder regarding getting a TAN to have for the year and asked her what the cost would be. He was told there is no cost unless you draw on the TAN and asked Ms. Snyder to look into the rate.

OTHER BUSINESS – Selectman Lacasse mentioned a letter they received from a flower shop in town wanting to sell wine. The letter is requesting response from the BOS. Selectman Kurk asked what if the owner wanted to set up tables and serve wine. The Board does not think that is what the request is for. Selectman Lacasse feels they should help her expand her business. Selectman Lacasse will write a letter of approval.

Selectman Kurk said she went to the LGC and 70% of those there voted to have LGC work with the components of the gas tax, she asked for it to be tabled to bring the information back to the BOS. Selectman Kurk said someone needs to attend the next meeting because she is coming off the Board and she thinks they should write a letter to all 8 of their representatives stating they don’t want the state downshifting to all the towns. Chairman Clow said when they set the tax rate there is a substantial portion that comes from the state and the education grant could go down as

FINAL

well. Selectman Kurk feels the Legislators should be doing this not the town. Selectman Lacasse feels the more that gets shifted local the better. Selectman Kurk said if the state revenues are down and they don't figure it out then the towns tax rate will go up substantially. Selectman Kurk would like to see the town continue sitting in on the LGC meetings; usually 3-4 meetings a year. Chairman Clow said he can try to attend a meeting but feels he cannot make the commitment. Selectman Kurk said ultimately they could shift the responsibility to the Town Administrator. Selectman Kurk said the meetings are during the day. Selectman Butt and Chairman Clow agree with keeping it at state level.

Selectman Kurk said the Deliberative Session was replayed on channel 6 and the sound was challenging. Selectman Butt agrees there was an issue. Selectman Kurk said cable wants to know when the BOS wants to rebroadcast the Deliberative Session. The Board said to rerun it one more time and then again the week before voting. Selectman Kurk feels they should write a thank you to the Cable Committee members that were at the Deliberative Session volunteering their time.

Selectman Kurk reminded the Board about the need to review the Comcast contract.

Selectman Kurk hopes they don't let the 250th anniversary committee go to the wayside.

Selectman Kurk said they have not discussed how they will be doing employee reviews, which she feels this needs to be done before March 10.

Selectman Kurk wants arrangements to be made with Jason Burdock for the front door. Chairman Clow thinks this should be done in the middle of March.

Selectman Butt thinks the 250th anniversary is a significant event and feels there needs to be something physical that people could look at and thinks they should look at something that is permanent and not just a celebration. Selectman Butt feels the celebration should be a big deal. Selectman Kurk feels the process needs to be started. Selectman Butt feels it should be something to invigorate the town.

Selectman Butt said they need to discuss the shortfall of revenue. Selectman Butt wants to know what viable options they have to save money. Chairman Clow said if the revenues are low then when they set the tax rate it will have to increase. Selectman Butt mentioned what if Chase Park revenues are down and residents aren't purchasing new vehicles to register that will contribute to a decrease in revenue. Chairman Clow understands but there is nothing else they can cut from the default budget. Selectman Butt said the cost of services increase and to correct the problem they can't keep borrowing, they will have to start cutting employees. Chairman Clow said in the coming month they need to review what came in for December taxes in 2008 to what came in 2007. Selectman Lacasse said he doesn't see anything wrong with taking a look at it early. Selectman Butt said they don't produce a product but provide a service and will need to look at the amount of employees providing the services.

Chairman Clow said they discussed line item accountability and he drafted a letter to go out to all department heads. Selectman Butt said the training session for the new purchasing software was held and every department was represented, the process is such that department heads will be able to see immediately the amount of money being drawn from a certain line. Selectman Butt said the new process will allow them to block spending on certain lines and to change the approval process. Chairman Clow suggests having a staff meeting next Tuesday.

Chairman Clow said Mrs. T. Connor sent them a grant to accept from the State of NH in the amount of \$2,228.00 dated December 23, 2008 which has already come in but the Board has to accept the grant. The grant is for a waste oil heater for the Highway Department.

Selectman Kurk moved, Selectman Butt seconded to accept the grant from the State of New Hampshire in the amount of \$2,228. Passed 4-0-0

Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 10:42 p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken, Selectman Butt – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0

FINAL

Chairman Clow moved, Selectman Lacasse seconded to come out of non public session @ 10:53 p.m. A roll call vote was taken, Selectman Butt – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0

Chairman Clow moved, Selectman Lacasse seconded to seal and restrict the minutes of the non public session. Passed 4-0-0

Chairman Clow moved, Selectman Lacasse seconded to enter into non public session @ 10:53 p.m. pursuant to the authority granted in RSA 91-A:3II (a&c). A roll call vote was taken, Selectman Butt – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0

Chairman Clow moved, Selectman Lacasse seconded to come out of non public session @ 11:00 p.m. A roll call vote was taken, Selectman Butt – yes; Selectman Kurk – yes; Selectman Lacasse – yes; Chairman Clow – yes. Passed 4-0-0

Chairman Clow moved, Selectman Lacasse seconded to seal and restrict the minutes of the non public session. Passed 4-0-0

ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary